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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

THRIVE HOOD RIVER, OREGON WILD,
SIERRA CLUB, OREGON NORDIC CLUB,
FRIENDS OF MOUNT HOOD, OREGON
KAYAK AND CANOE CLUB, and MIKE
McCARTHY,

Plaintiffs,

v.

META LOFTSGAARDEN, Forest Supervisor
for the Mt. Hood National Forest, and the
UNITED STATES FOREST SERVICE,

Defendants,

and

MT. HOOD MEADOWS OREG., LLC,

Intervenor-Defendant.

Case No. 3:22-cv-01981-AR

**JOINT PROPOSED CASE
MANAGEMENT SCHEDULE**

The Court ordered (ECF 47) the parties to confer on a joint proposed case management schedule, or to submit competing schedules if they could not agree. The parties have conferred and agree on the following joint proposed schedule and positions in support of the timely resolution of the above-captioned action for the Court's consideration.

- **February 14, 2025:** Federal Defendants file privilege log pursuant to Judge Simon's order (ECF 45).
- **February 28:** Plaintiffs notify Federal Defendants about any concerns associated with the privilege log, or notify Federal Defendants that they have no concerns.

If Plaintiffs notify Federal Defendants they have no concerns associated with the privilege log, then:

- Within seven days the parties shall submit a proposed summary judgment briefing schedule which shall be substantially similar to the summary judgment briefing schedule previously adopted by the Court on November 26, 2024 (ECF 38), with the exception of the time provided for Plaintiffs to file their opening summary judgment brief, which will be 2-4 weeks following resolution of any privilege log issues, depending upon the extent to which the record may be further supplemented, if at all, and any potential scheduling constraints Plaintiffs' counsel may have at that time.

If Plaintiffs notify Federal Defendants about any concerns associated with the privilege log, then:

- **March 7:** Parties complete conferral on privilege log issues.

If parties reach agreement on all privilege log issues, then:

- **March 21:** Federal Defendants supplement Administrative Record (AR) as needed and parties submit proposed summary judgment briefing schedule, which shall be substantially similar to the summary judgment briefing schedule previously adopted by the Court on November 26, 2024 (ECF 38), with the exception of the time provided for Plaintiffs to file their opening summary judgment brief, which will be 2-4 weeks following resolution of any privilege log issues, depending upon the extent to which the record may be further supplemented, if at all, and any potential scheduling constraints Plaintiffs' counsel may have at that time.

If parties do not reach agreement on all privilege log issues, then:

- **March 21:** Plaintiffs file motion on privilege log issue(s).
- **April 11:** Defendants file response(s) to Plaintiffs' motion.
- **April 18:** Plaintiffs file reply in support of motion.
- Within fourteen days after the Court's ruling on the motion (or after any appeal is resolved under Fed. R. Civ. P. 72(a)), the Federal Government shall supplement the AR as necessary, and the parties shall submit a proposed summary judgment briefing schedule which shall be substantially similar to the summary judgment briefing schedule previously adopted by the Court on November 26, 2024 (ECF 38), with the exception of the time

provided for Plaintiffs to file their opening summary judgment brief, which will be 2-4 weeks following resolution of any privilege log issues, depending upon the extent to which the record may be further supplemented, if at all, and any potential scheduling constraints Plaintiffs' counsel may have at that time.

The parties also jointly and respectfully state their strong interest in the prompt resolution of the remainder of the proceedings in this action such that, at least insofar as it is consonant with the Court's calendar, oral argument on the merits of Plaintiffs' claims could be held and the Court could take under advisement the parties' cross-motions for summary judgment in the fall of 2025 or no later than prior to the end-of-year holidays. This interest stems in considerable measure from direction in the legislation prescribing the land exchange at issue that the Congress's intent was that the exchange be completed no later than July 2010.

Respectfully submitted on: January 31, 2025.

/s/ Jesse A. Buss

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